

**Zone Text Change Analysis
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**ZT-1-2009, Transit Oriented Development Zone
West Valley City
3600 Constitution Boulevard
West Valley City, Utah 84119**

Zone Text Change Affecting:

West Valley City Code, 7-1-103, Definitions

West Valley City Code, 7-6-101, Establishment of Zones

&

Establishing West Valley City Code, 7-6-1700, Transit Oriented Development Zones

Purpose

This Zone Text Change is proposed to establish zoning options, incentives and guidance for the development of Transit Oriented Development (TOD) projects around light rail transit (LRT) or bus rapid transit (BRT) stations. TOD is an approach to development that integrates land uses, development intensity and transportation options, centering primarily on access to the public transit system.

Background

At the request of the City Council, Mayor and City Manager of West Valley City, City Staff have prepared the attached draft Transit Oriented Development zone ordinance. This ordinance provides relevant definitions, additions to the list of zones provided in City Code, and establishes the language of the proposed new TOD ordinance.

Application

West Valley City Staff is requesting an ordinance text change to Title 7 of West Valley City Municipal Code to establish a Transit Oriented Development ordinance (TOD) and four (4) TOD zones distinct TOD zones and associated land use mixes (share of building gross square footage):

- **TOD-Residential (TOD-R)**
Minimum 80% residential uses
- **TOD-Employment (TOD-E)**
Minimum 60% office/non-retail commercial
Maximum 20% residential
- **TOD-Mixed Use (TOD-M)**
Maximum 50% residential
- **TOD-Optional (TOD-O)**
Negotiable

These different zones only establish some variety in the mix of broad categories of land uses such as residential, commercial and non-retail commercial. A TOD zone, appropriate to the character of particular place around a transit station, once established, will be consistent with all future development associated with that station. For example, if a TOD-Employment (TOD-E) zone is established around the 2770 South Redwood Road light rail station, every other future development around that particular station will apply the TOD-E zone. The only exception is the possibility that a TOD-Optional (TOD-O) zone may apply to address special circumstances.

This draft ordinance establishes three distinct areas within any TOD zone. These areas provide for a greater intensity of development immediately surrounding a transit station and a reduction of the intensity of development at the outer edges or where a TOD project abuts an existing single-family residential neighborhood. These areas define the specific land uses allowed within a TOD zone as well as provide standards for height, density, and setbacks.

Issues

Due to the complexity of this draft ordinance, many challenges, questions and concerns have arisen. While City Staff have attempted to address many of these concerns either in changes to the ordinance or in research and presentations, some issues may remain unresolved. Documentation on TOD 'best practices' suggests that the focus of Transit Oriented Development should be on getting the form of development right rather than on the specific uses, and on providing the flexibility necessary for development to occur. While this ordinance errs on the side of 'use' controls rather than form, it is an important first step toward an alternative type of development in the City that creates transit nodes and villages centering on the regional transportation system.

Many of the concerns expressed thus far have focused on the appropriateness of the density allowances; whether they are high enough to achieve the type of development we would like and whether they are too high considering current and historical levels of density and intensity of development within West Valley City. Also of concern has been the approach to incentives/density bonuses, especially considering viable means to ensure that they are ultimately developed as promised. This draft ordinance, while not perfect in this regard, represents the most feasible approach to both raising the expectations of development and realizing those expectations when the project is built.

Staff Alternatives

1. **Approval**, a positive recommendation of this ordinance to the City Council.
2. **Approval with further recommendations**, a positive recommendation of this ordinance to the City Council with suggested changes as determined through the public hearing.
3. **Continuance**, to complete further research and/or resolve any questions.
4. **Denial**, a negative recommendation of this ordinance to the City Council for reasons determined through the public hearing.